

**RULES
OF
TENNESSEE STATE BOARD OF ARCHITECTURAL AND
ENGINEERING EXAMINERS**

**CHAPTER 0120-4
INTERIOR DESIGNERS**

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0120-4.01 DEFINITIONS.

- (1) NCIDQ shall mean the National Council for Interior Design Qualification.
- (2) BOARD shall mean the Tennessee State Board of Architectural and Engineering Examiners.
- (3) REGISTRANT shall mean a registered interior designer.

Authority: T.C.A. §62-2-203(c). **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993.

0120-4.02 APPLICABILITY. Unless otherwise indicated, the provisions of this Chapter shall apply to all applicants for registration as registered interior designers and all registered interior designers.

Authority: T.C.A. §62-2-203(c). **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993. Amendment filed July 19, 2002; effective October 2, 2002.

0120-4.03 APPLICATIONS.

- (1) Each application for registration as a registered interior designer must be at least twenty-one (21) years old and must not have been convicted of any offense that bears directly on the applicant's fitness to be registered as determined by the Board. The applicant shall indicate his or her age and shall give a full explanation of any conviction of any offense on a form provided by the Board.
- (2) An application for registration as a registered interior designer under the provisions of T.C.A. § 62-2-904 (registration requiring examination), shall be made on a form prescribed by the Board and shall be accompanied by a nonrefundable fee of fifty-five dollars (\$55.00). The applicant shall provide the Board with NCIDQ examination verification or equivalent examination verification by submitting the following to the examination sponsor:
 - (a) An examination verification form supplied by the Board; and
 - (b) The fee, if any, charged by the examination sponsor for verification.

Authority: T.C.A. §§62-2-203(c), 62-2-301(a), 62-2-904, and 62-2-905. **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed March 13, 1997; effective May 27, 1997. Amendment filed February 26, 1999; effective May 12, 1999. Amendment filed July 19, 2002; effective October 2, 2002.

0120-4-.04 EDUCATION REQUIREMENTS.

- (1) Except as provided by T.C.A. § 62-2-905 (registration without examination), the education requirements for an applicant for registration as a registered interior designer shall be those prescribed in T.C.A. § 62-2-904(a).
- (2) The education requirements shall be completed by the applicant prior to submitting an application to the Board.

Authority: T.C.A. §§62-2-203(c) and 62-2-904(a). **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993. Amendment filed July 19, 2002; effective October 2, 2002.

0120-4-.05 EXPERIENCE REQUIREMENTS.

- (1) Except as provided by T.C.A. § 62-2-905, (registration without examination), the experience requirements for an applicant for registration as a registered interior designer shall be those prescribed in T.C.A. § 62-2-904 (registration with examination).
- (2) For purposes of T.C.A. 62-2-904(a), and this rule, “diversified interior design experience” shall mean that the applicant has been engaged in three (3) or more of the following activities of enhancing the function and quality of interior space:
 - (a) Analysis of a client’s needs, goals, and life safety requirements for the interior space of a structure;
 - (b) Integration of findings with knowledge of interior design;
 - (c) Formulation of preliminary design concepts that are appropriate, functional and aesthetic;
 - (d) Development and presentation of final design recommendations through presentation media;
 - (e) Preparation of working drawings and specifications for non-load bearing interior construction, materials, finishes, space planning, furnishings, fixtures and equipment;
 - (f) Collaboration with professional services of other licensed practitioners in the technical areas of mechanical, electrical and load-bearing design required for regulatory approval;
 - (g) Preparation and administration of bids and contract documents as the client’s agent; and
 - (h) Review and evaluation of design solutions during implementation and upon completion.
- (3) An applicant shall have worked at least one thousand six hundred (1,600) hours in a calendar year to obtain credit for a year’s worth of diversified interior design experience under the provisions of T.C.A. §62-2-904(a).
- (4) Diversified interior design experience shall be demonstrated to the Board by the applicant who shall furnish the following:
 - (a) An affidavit by the applicant attesting that the applicant has engaged in the practice of interior design for the number of years for which the applicant is claiming experience; and
 - (b) Three (3) references, on forms supplied by the Board, certifying that the applicant has provided interior design services for the period of experience claimed by the applicant; such references to be submitted from the following:

1. Prior to January 1, 1994;

(Rule 0120-4-.05, continued)

- (i) Interior designers who have passed the NCIDQ examination;
 - (ii) Registered architects; and/or
 - (iii) Professional members of one of the professional organizations specified in subsection (3)(c)1 of rule 0120-4-.09;
2. As of January 1, 1994 and thereafter:
- (i) Registered interior designers; and/or
 - (ii) Registered architects.

Authority: T.C.A. §§62-2-203(c) and 62-2-904(a). **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993. Amendment filed July 19, 2002; effective October 2, 2002.

0120-4-.06 INITIAL REGISTRATION.

- (1) An initial certificate of registration shall be issued upon:
 - (a) The Board's determination that all the applicable prerequisites for registration have been met; and
 - (b) The payment of application fees and other costs, if any, and the payment of an initial certificate of registration fee of one hundred forty dollars (\$140.00) which shall be valid for two (2) years.

Authority: T.C.A. §§56-1-302(b), 62-2-203(c), 62-2-307, and 62-2-904(b)(4). **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993. Amendment filed March 13, 1997; effective May 27, 1997.

0120-4-.07 DUPLICATE CERTIFICATES OF REGISTRATION.

- (1) Upon written request from a registered interior designer, accompanied by a fee of twenty-five dollars (\$25.00), a new certificate of registration to replace any lost, destroyed or mutilated certificate will be issued.
- (2) All replacement certificates issued pursuant to this rule will be marked "duplicate."

Authority: T.C.A. §§62-2-203(c) and 62-2-305. **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993.

0120-4-.08 RENEWAL OF REGISTRATION.

- (1) All certificates of registration issued to a registered interior designer are subject to biennial renewal (every two (2) years) in accordance with the provisions of T.C.A. § 56-1-302(b).
- (2) The fee for biennial renewal of certificates of registration for registered interior designers shall be in the amount of one hundred forty dollars (\$140.00).
- (3) The penalty for late renewal shall be in the amount of ten dollars (\$10.00) for each month or fraction of a month which elapses during the six (6)-month late renewal period before payment is tendered.

Authority: T.C.A. §§56-1-302(b), 62-2-203(c), 62-2-301(a), and 62-2-307(a) and (d). **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993. Amendment filed January 19, 1995; effective April 4, 1995. Amendment filed July 19, 2002; effective October 2, 2002.

0120-4-.09 REGISTRATION WITHOUT EXAMINATION.

- (1) The education and experience requirements for an applicant for registration as a registered interior designer without examination shall be those prescribed in T.C.A. § 62-2-905.
- (2) For purposes of *T.C.A. §62-2-905*, an applicant shall be deemed to have “satisfactory interior design experience” if, for each year the applicant claims credit, the applicant has worked a minimum of one thousand six hundred (1,600) hours performing interior design services. For purposes of this rule, “satisfactory interior design experience” shall mean design services which do not necessarily require performance by an architect, including consultations, studies, drawings and specifications in connection with reflected ceiling plans, space utilization, furnishings or the fabrication of non-structural elements within the surrounding interior spaces of buildings, but specifically excluding the services specified by law to require other licensed professionals, such as the design of mechanical, plumbing, electrical and load-bearing structural systems, except for specification of fixtures and their location within interior spaces.
- (3) Satisfactory interior design experience shall be demonstrated to the Board by the applicant who shall provide the following:
 - (a) An affidavit by the applicant attesting that the applicant has used or been identified by the title “interior designer” and has engaged in the practice of interior design for the number of years for which the applicant is claiming experience;
 - (b) Three (3) references, on forms supplied by the Board, certifying that the applicant has provided interior design services for the period of experience claimed by the applicant; such references to be submitted from the following:
 1. Interior designers who have passed the NCIDQ examination;
 2. Registered architects; and/or
 3. Professional members of any of the professional organizations specified under paragraph (3)(c)1. of this rule; and
 - (c) Documentation of the interior design experience claimed by using any one (1) of the two (2) methods enumerated below:
 1. Providing certification of active professional membership in one (1) of the following professional organizations which require six (6) years education and experience substantially similar to the education and experience required by *T.C.A. §62-2-905*:
 - (i) American Society of Interior Designers;
 - (ii) Institute of Business Designers;
 - (iii) Interior Design Society; or
 - (iv) Any other professional interior design organization that requires successful completion of the NCIDQ Examination or its equivalent or the experience requirements of *T.C.A. § 62-2-905*; or
 2. Furnishing documentation of the number of years of interior design experience claimed as set forth below:

(Rule 0120-4-.09, continued)

- (i) Verification by the employer for each year worked under an interior designer who holds active professional membership in any of the professional organizations specified in paragraph (3)(c)1. of this rule, or a registered architect; and/or
 - (ii) A combination of no less than three (3) of the following documents per year as proof of experience:
 - (I) Tax returns listing occupation as interior designer or Schedule C listing business as interior design;
 - (II) Affidavits from clients, attesting to the interior design services provided and when the applicant provided such services;
 - (III) Business licenses; or
 - (IV) Tax identification numbers issued prior to January 1, 1988; and/or
 - (iii) Equivalent proof as determined by the Board.
- (4) Notwithstanding any provision to the contrary, no more than one (1) year of credit for satisfactory design experience shall be given for interior-design-related sales experience.
- (5) Notwithstanding any other provision to the contrary, an applicant claiming experience for the teaching of interior design may use such experience to qualify for registration without examination, pursuant to the provisions of *T.C.A. §62-2-905(2)*.
 - (a) Any combination totaling six (6) years of satisfactory interior design experience, as defined in this rule, and experience being regularly engaged in the teaching of interior design, such teaching experience being part of a program leading to a degree at an accredited institution recognized by the Board shall meet the requirements of *T.C.A. §62-2-905(2)*.
 - (b) To demonstrate satisfactory interior design experience, the applicant shall do so in the manner provided above by this rule. To demonstrate teaching experience, the applicant shall submit an affidavit by the applicant and a statement from an accredited institution stating the number of years the applicant was regularly engaged in the teaching of interior design.
 - (c) “Regularly engaged” shall mean a full-time teaching position in which no less than twelve (12) credit hours per semester or the equivalent hours per quarter are taught for each semester or quarter of a year.

Authority: *T.C.A. §§62-2-203(c) and 62-2-905. Administrative History: Original rule filed May 18, 1993; effective July 2, 1993. Amendment filed July 19, 2002; effective October 2, 2002.*

0120-4.10 PROFESSIONAL CONDUCT.

- (1) The registrant shall comply with all applicable laws, regulations and codes governing the practice of interior design, and the use of the title “registered interior designer.”
- (2) The registrant shall at all times recognize the primary obligation to protect the health, safety and welfare of the public in the registrant’s practice of interior design.
- (3) The registrant shall perform his services only in areas of his competence.

(Rule 0120-4-.10, continued)

- (4) The registrant shall not engage in any form of false or misleading advertising or promotional activities including, but not limited to, implying unregistered staff members or employees of the firm are registered interior designers.
- (5) The registrant shall not divulge any confidential information about the client or the client's project, or utilize photographs or specifications of the project without the express permission of the client. Provided, however, this provision shall not apply to those specifications, drawings or photographs over which the designer retains proprietary rights or the designer is required by law or in connection with an investigation by the Board to furnish.
- (6) The registrant shall be completely objective and truthful in all professional reports, statements and testimony.
- (7) The registrant shall not assist or abet improper or illegal conduct of anyone in connection with a project.
- (8) When in public service as a member, advisor, or employee of a governmental body or department, the registrant shall not participate in considerations or actions with respect to services provided by him or his organization in private professional practice.
- (9) The registrant shall not solicit or accept any contract from a governmental body on which he, or a principal or officer of his organization, serves as a member.
- (10) The registrant shall not pay or offer to pay, either directly or indirectly, any commission, political contribution, or gift or other consideration in order to secure work, exclusive of securing salary positions through employment agencies.
- (11) The registrant shall not falsify or permit misrepresentation of his or his associate's academic or professional qualifications. The registrant shall not misrepresent or exaggerate registrant's degree of responsibility in or for the present or prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employer, employees, associates, or joint ventures, or his or their past accomplishments with the intent and purpose of enhancing the registrant's qualifications and work.
- (12) The registrant shall not request, propose or accept a professional commission on a contingent basis under circumstances in which his professional judgment may be compromised.
- (13) The registrant shall not knowingly associate with, or permit the use of his name or firm name in, a business venture by any person or firm which he knows, or has reason to believe, is engaging in business or professional practice of a fraudulent or dishonest nature.
- (14) The registrant may be deemed by the board to be guilty of misconduct if:
 - (a) He is convicted in a court of competent jurisdiction of a felony; or
 - (b) His license or certificate of interior design title is revoked, suspended or voluntarily surrendered as a result of disciplinary proceedings in another jurisdiction.
- (15) The registrant shall not engage, or offer to engage, in the providing of services specified by law to require other licensed professionals, such as the design of mechanical, plumbing, electrical and load-bearing structural systems, except for specification of fixtures and their location within interior spaces.
- (16) The registrant shall have the responsibility of fully disclosing to the client all manners in which the registrant is directly compensated by third parties for specifying the products of such third parties for a particular project and the registrant has knowledge of the compensation prior to such specification.

(Rule 0120-4-.10, continued)

Disclosure is sufficient if a statement substantially as follows is included in a contract with the client or an invoice to the client: “(Registrant) may be compensated by third parties for certain specifications,” and such statement is either separately acknowledged by the client or is in the same size type as the majority of the contract or invoice or is conspicuous. Disclosure is not required when the registrant is known by the client to be an employee, officer or principal of an entity known by the client to be a retailer or dealer which either sells or orders furnishings or products or bills the client for the products or furnishings.

Authority: T.C.A. §62-2-203(c). **Administrative History:** Original rule filed May 18, 1993; effective July 2, 1993. Amendment filed July 19, 2002; effective October 2, 2002.